IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.36834 of 2008
JITENDRA YADAV @
JITENDRA KUMAR YADAV … … Petitioner
Versus
THE STATE OF BIHAR … … Opp. Party
For the petitioner: Shri Daya Shankar Prasad

For the State: Shri Dashrath Mehta, A.P.P.
- - - -

4. 22.10.2008 Heard both the sides.

In the background of enmity the allegation is that the three accused persons named in the F.I.R. came out behind the palm tree where they were hiding and attempted to capture the deceased Binod Yadav who turned around and when he wanted to flee the three accused persons fired in his back as a result of which the said Bihod Yadav fell down and thereafter this petitioner fired a shot in the face.

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There is support of the allegation and the post-mortem examination report appearing in paragraph 42 of the case diary indicates that there were as many as four injures, three of them being wounds of entry and injury no.1 was a wound on the right cheek of the deceased which appears corresponding to the allegation assigned to the present petitioner.

Otherwise also, the allegation is

against the three accused of firing shots. Considering the direct nature of the allegation against the petitioner, I am not inclined to direct the release of the petitioner on bail.

The petition is dismissed.

(Dharnidhar Jha, J.)

Kanth

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